

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
PORTLAND DIVISION

CHRISTOPHER PAUL POULAIN,

3:09-CV-01119-AC

Plaintiff,

ORDER

v.

DR. G. GULICK, DR. STEVE
SHELTON, MARK NOOTH, and
MAX WILLIAMS,

Defendants.

BROWN, Judge.

Magistrate Judge John V. Acosta issued Findings and Recommendation (#54) on February 22, 2012, in which he recommends this Court grant in part and deny in part Defendants' Motion (#11) to Dismiss. The matter is now before this Court pursuant to 28 U.S.C. § 636(b)(1)(B) and Federal Rule of Civil Procedure

72(b).

Because no objections to the Magistrate Judge's Findings and Recommendation were timely filed, this Court is relieved of its obligation to review the record *de novo*. *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003)(*en banc*). See also *United States v. Bernhardt*, 840 F.2d 1441, 1444 (9th Cir. 1988). Having reviewed the legal principles *de novo*, the Court does not find any error.

CONCLUSION

The Court **ADOPTS** Magistrate Judge Acosta's Findings and Recommendation (#54). Accordingly, the Court

1. **GRANTS** Defendants' Motion (#11) to Dismiss as to Plaintiff's claims under § 1983 against Defendants Mark Nooth and Max Williams and **DISMISSES** those claims **with prejudice;**
2. **DENIES** Defendants' Motion (#11) to Dismiss as to Plaintiff's claims under § 1983 against Defendants Dr. G. Gulick and Dr. Steve Shelton;
3. **GRANTS** Defendants' Motion (#11) to Dismiss as to Plaintiff's state-law claims against Defendants Gulick and Shelton and **DISMISSES** those claims **with prejudice;** and
4. **GRANTS** Defendants' Motion (#11) to Dismiss as to

Plaintiff's state-law claims against Defendants Nooth and Williams (because the Court assumes the Magistrate Judge's analysis as to Defendants Gulick and Shelton is equally applicable to Defendants Nooth and Williams) and **DISMISSES** those claims **with prejudice**.

IT IS SO ORDERED.

DATED this 13th day of March, 2012.

/s/ Anna J. Brown

ANNA J. BROWN
United States District Judge